

AMENDED IN SENATE MAY 3, 2000

SENATE BILL

No. 1692

Introduced by Senator Ortiz

February 22, 2000

~~An act relating to the Teachers' Retirement Law. An act to add and repeal Section 24209.3 of the Education Code, relating to state teachers' retirement, and declaring the urgency thereof to take effect immediately.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 1692, as amended, Ortiz. ~~Teachers' Retirement Law~~
State teachers' retirement: reinstatement.

The State Teachers' Retirement Law prescribes service retirement allowances for members who retire for service following termination of a prior service retirement and reinstatement.

This bill would, until January 1, 2005, prescribe enhanced service retirement allowances for members who retired for service prior to January 1, 1999, and who reinstate and perform at least one year of creditable service, as specified. The bill would make related findings and declarations.

The bill would declare that it is to take effect immediately as an urgency statute.

~~Existing law establishes the Teachers' Retirement Law, as specified.~~

~~This bill would declare the intent of the Legislature to enact legislation providing for enhanced benefits to teachers who retired prior to 1999 pursuant to the Teachers' Retirement~~

~~Law, and who return to teaching for a significant period of time.~~

Vote: ~~majority~~ ^{2/3}. Appropriation: no. Fiscal committee: ~~no~~
yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. It is the intent of the Legislature to enact~~
2 ~~legislation providing for enhanced benefits to teachers~~
3 ~~who retired prior to January 1, 1999, pursuant to the~~
4 ~~Teachers' Retirement Law and who return to teaching~~
5 ~~for a significant period of time.~~

6 *SECTION 1. The Legislature finds and declares all of*
7 *the following:*

8 *(a) There is a shortage of qualified teachers in grades*
9 *K-12.*

10 *(b) California is expected to need 130,000 additional*
11 *teachers in grades K-12 and 5,000 additional full-time*
12 *teachers in community colleges over the next five years.*

13 *(c) More than 7,200 members of the State Teachers'*
14 *Retirement System retired in fiscal year 1998–1999.*

15 *(d) Reinstatement by members of the State Teachers'*
16 *Retirement System who are retired for service would*
17 *help address the teacher shortage.*

18 *(e) Providing an incentive for currently retired*
19 *members of the State Teachers' Retirement System to*
20 *reinstate would further state policy of encouraging*
21 *teacher recruitment and help to remedy current teacher*
22 *shortages.*

23 *SEC. 2. Section 24209.3 is added to the Education*
24 *Code, to read:*

25 *24209.3. (a) Notwithstanding Section 24209, a*
26 *member who retired for service prior to January 1, 1999,*
27 *and who reinstates as an active member and performs*
28 *credited service, as defined in Section 22119.5, in an*
29 *amount equal to one year of full time equivalent or more,*
30 *whether accumulated over a semester, calendar year, or*
31 *period of years, shall, upon retirement for service*
32 *following termination of the prior service retirement,*

1 receive a service retirement allowance equal to the sum
2 of both of the following:

3 (1) An amount calculated pursuant to Section 24202,
4 24202.5, 24203, 24203.5, or 24206 on service rendered prior
5 to reinstatement, but on the basis of the member's age at
6 the preceding completed quarter year, from which age
7 shall be deducted the total time during which the
8 member was retired for service.

9 (2) An amount calculated pursuant to Section 24202,
10 24202.5, 24203, 24203.5, or 24206 on service credited
11 subsequent to the most recent termination of retirement
12 allowance, using the member's age at the subsequent
13 retirement, and the member's final compensation at the
14 time of the member's pre-January 1, 1999 retirement for
15 service.

16 (b) This section shall remain in effect only until
17 January 1, 2005, and as of that date is repealed, unless a
18 later enacted statute, that is enacted before January 1,
19 2005, deletes or extends that date.

20 SEC. 3. This act is an urgency statute necessary for
21 the immediate preservation of the public peace, health,
22 or safety within the meaning of Article IV of the
23 Constitution and shall go into immediate effect. The facts
24 constituting the necessity are:

25 In order to hire a sufficient number of qualified
26 teachers for the upcoming academic year, it is necessary
27 that this act take effect immediately.

